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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,688	12/14/2001	John Pigott	1280.SC11962ZC	9568
34814	7590	11/21/2005	EXAMINER	
TOLER & LARSON & ABEL, L.L.P. 5000 PLAZA ON THE LAKE SUITE 265 AUSTIN, TX 78746			WILLIAMS, LAWRENCE B	
			ART UNIT	PAPER NUMBER
			2638	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,688

Applicant(s)

PIGOTT ET AL.

Examiner

Lawrence B. Williams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-32 and 36-40 is/are allowed.
- 6) ☒ Claim(s) 33-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - a.) On page 1, line 19, examiner suggest applicant replace the word “nodes” with “node”.
 - b.) On page 1, line 22, examiner suggest applicant replace the word “nodes” with “node”.
 - c.) Page 4, lines 17 and 21 make reference to a “calibration initialization indicator 210”.

Examiner is unable to find such an element in the accompanying figures.

Appropriate correction is required.

2. The disclosure is objected to because of the following informalities: The disclosure does not contain appropriate section heading. Examiner suggests applicant see “Arrangement of the Specification” cited below.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
4. Claims 33-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 33 recites the limitation “to initiate a second mode of operation” in lines 4-
5. Applicant has failed to disclose a first mode prior to the introduction of “a second mode”.

5. Claim 33 recites the limitation "said counter" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

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6. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Allowable Subject Matter

7. Claims 1-32, 36-40 are allowed.

8. Claim 33 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

9. Claims 34-35 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:
The instant application discloses a system and methods for calibrating timing in a remote device to timing in a source device. A search of prior art records has failed to disclose a method comprising; "receiving, during a second mode of operation, different from the first mode of operation, at the input of the first device, a first time reference signal from a second device; and correlating a timing event of the first time reference signal to an internal clock of the first

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device to determine a time base relative to a duration of time used to receive the first time reference signal” or “receiving at the input, during a second mode of operation, a second signal of a second operational type, wherein the first operational type is different than the second operational type; and correlating a timing event received as part of the second signal to an internal clock of the first device to determine a time base relative to the first time reference signal” as disclosed in claims 1 and 36, respectively. Nor does the prior art teach a system comprising; “an input node to provide a first time reference to an input port of a first remote device; the first remote device having; an input coupled to the output node of said source device to receive a standard signal in a first mode of operation and said first time reference in a second mode of operation; a counter to identify a number of clock cycles generated by an internal clock for a duration specified through said first time reference, during said second mode of operation; a control signal generator to determine a time base based on said number of clock cycles; an output node to provide to a target device a control signal based on said time base; said internal clock; and said target device having an input node coupled to the output node of said first remote device, said input node receiving said control signal and said target device performing a function based on said control signal” or “a signal node to receive a standard signal in a first mode of operation and a time reference signal in a second mode of operation, wherein a completion of the time reference signal is used to initiate the first mode of operation; said counter to track a number of clock cycles generated by a local clock, said counter having: a reset node to initialize a count of the number of clock cycles; an enable node to receive a second enable signal to enable a counting of the clock cycles; an output node to provide a count of the number of clock cycles; a control signal generator to generate a control signal based on the count

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of the number of clock cycles, said control signal generator having an input node coupled to the output node of the counter to receive said count of the number of clock cycles, and said local clock to generate said clock cycles” as disclosed in claims 19 and 36, respectively.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.) Kattan discloses in US Patent 6,621,767 B1 Time Interval Analyzer Having Real Time Counter.

b.) Kattan discloses in US Patent 6,226,231 B1 Time Interval Analyzer Having Multiple Measurement Circuits.

c.) Nelson et al. discloses in US Patent 5,831,485 Method And Apparatus For Producing A Temperature Frequency Using Two Oscillators.

d.) Fischer discloses I US Patent 6,871,292 B1 Sequencer And Method Of Selectively Inhibiting Clock Signals To Execute Reduced Instruction Sequences In A Re-Programmable I/O Sequence.

e.) Frisch et al. discloses in US Patent 5,644,261 Adjustable Precise Delay Circuit.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-5:00).

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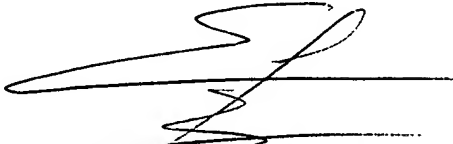
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams

lbw

November 18, 2005



EMMANUEL BAYARD
PRIMARY EXAMINER